

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Pawel DRABAREK et al.  
International Application No. : PCT/DE03/01032  
International Filing Date : March 28, 2003  
U.S. Serial No. : 10/527,935  
For : **INTERFEROMETRIC MEASURING  
DEVICE**

Address to:

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371**

S I R :

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (mailed March 15, 2006), Applicants submit herewith a fully executed Declaration, in order to complete the filing requirements for the U.S. national phase of the above-identified PCT application. The application filed in the Patent Office is the application which the inventors executed by signing the Declaration and Power of Attorney. A copy of the Notification of Missing Requirements is also enclosed.

The Office is authorized to charge the \$130.00 fee to cover the surcharge for late filing of the Declaration to Deposit Account No. 11-0600.

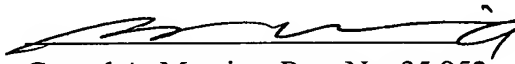
The Office is also hereby authorized to charge Deposit Account No. 11-0600 with any additional fees required by this paper or credit any overpayment. An additional copy of this letter is enclosed for this purpose.

04/28/2006 HKAYPAGH 00000155 110600 10527935  
01 FC:1617 130.00 DA

Respectfully submitted,  
KENYON & KENYON LLP

Date:

4/24/06

  
Gerard A. Messina, Reg. No. 35,952  
One Broadway  
New York, NY 10004  
Tel: (212) 425-7200  
Fax: (212) 425-5288

Express Mail No. EV322953109



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/527,935	Pawel Drabarek	10191/4148

INTERNATIONAL APPLICATION NO.

PCT/DE03/01032

I.A. FILING DATE

03/28/2003

PRIORITY DATE

09/25/2002

26646  
 KENYON & KENYON LLP  
 ONE BROADWAY  
 NEW YORK, NY 10004

CONFIRMATION NO. 2374

371 FORMALITIES LETTER



\*OC000000018264575\*

Date Mailed: 03/15/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/16/2005
- Copy of the International Search Report filed on 03/16/2005
- Preliminary Amendments filed on 03/16/2005
- Information Disclosure Statements filed on 03/16/2005
- Oath or Declaration filed on 03/16/2005
- Request for Immediate Examination filed on 03/16/2005
- Copy of references cited in ISR filed on 03/16/2005
- U.S. Basic National Fees filed on 03/16/2005
- Substitute Specification filed on 03/16/2005
- Priority Documents filed on 03/16/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/527,935	PCT/DE03/01032	10191/4148

**Title: INTERFEROMERIC MEASURING DEVICE    Matter: 4148    Client: 10191    Application No: 10/527935    (P49624 USW 0 52159)**